

Message Text

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FROM LOSDEL

FOR THE SECRETARY FROM AMB LEARSON

E.O. 11652: XGDS-3

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT FOR THE SECRETARY

REF: STATE 190948

1. COMMITTEE I: GROUP OF 77 COMPLETED A REVIEW OF THE ACCESS SYSTEM AND BEGAN DELIBERATIONS ON ARTICLE 9 (PRODUCTION CONTROLS AND COMMODITY AGREEMENTS). THEIR CHANGES TO THE ACCESS SYSTEM ARE FAR BEYOND THE PARAMETERS OF THIS DELEGATION'S AUTHORITY TO NEGOTIATE. THEIR PROPOSED SYSTEM PAYS LIP SERVICE TO THE PARALLEL SYSTEM, BUT IN FACT GIVES WIDE DISCRETION TO THE AUTHORITY TO REFUSE CONTRACTS AND TO PICK AND CHOOSE AMONG APPLICANTS. IF THEIR CHANGES TO ARTICLE 9 ARE SIMILAR TO THE CHANGES THEY HAVE MADE TO THE ASSEMBLY, COUNCIL AND SYSTEM OF EXPLOITATION, WE WILL BE FACED BY THE END OF THIS WEEK WITH A COMPLETE AND TOTALLY UNACCEPTABLE PACKAGE IN CI. WE ARE NOT SUCCESSFUL IN PERSUADING EVEN G-77 MODERATES THAT THE RSNT IS THE BOTTOM LINE FOR US. INCREASINGLY, WE ARE HEARING THAT THE G-77 IS WAITING FOR THE NEXT ADMINISTRATION FOR
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FURTHER CONCESSIONS. TODAY THE CI WORKSHOP WILL HEAR

A PRESENTATION FROM THE G-77 SPOKESMAN ON THE SYSTEM OF EXPLOITATION AND ADJOURN FOR DEVELOPED COUNTRY CAUCUSING.

2. COMMITTEE II: THE CHAIRMAN OF COMMITTEE II CALLED A SMALL CONSULTING GROUP OF SELECTED DELEGATIONS (US NOT A MEMBER) TO NEGOTIATE THE ARTICLES ON LANDLOCKED ACCESS TO THE SEA AND TRANSIT RIGHTS. THE GROUP MET AMB. AGUILAR FOR THE FIRST TIME ON AUGUST 17, BUT NO AGREEMENT WAS REACHED ON A COMPROMISE. AN INFORMAL COASTAL STATE/LL/GDS HAS ORGANIZED ITSELF BUT HAS NOT YET MET DUE TO INABILITY TO AGREE ON AN AGENDA. AGUILAR WILL FORM A SMALL NEGOTIATING GROUP TO NEGOTIATE ARTICLES ON THE CONTINENTAL MARGIN AND REVENUE SHARING TODAY.

3. COMMITTEE III: GROUP OF 77 HAVE WIDENED AND COORDINATED ATTACK ON SCIENTIFIC RESEARCH TEXT. THEY ARE NOW ATTACKING TACIT CONSENT SYSTEM, ON OF FEW PROCEDURAL PROTECTIONS IN PRESENT TEXT. USSR PRIVATELY TOLD US THEY WOULD ACCEPT REVISED TEXT ON THE BASIC REGIME ARTICLE, COULD ACCEPT AMENDMENTS TO MOVE TEXT CLOSER TO COASTAL STATE POSITION, AND COULD ACCEPT AMENDMENT PUSHED BY BRAZIL AND KENYA TO GIVE COASTAL STATE RIGHT TO DENY CONSENT FOR PROJECTS WHICH IT FEELS ARE NOT CONDUCTED FOR PEACEFUL PURPOSES (THREATS TO SECURITY), YANKOV IS ATTEMPTING TO DRAFT A NEW COMPROMISE FOR ARTICLE 60 WHICH HE WILL PRESENT TO THE SMALL GROUP THIS WEEK.

4. DISPUTE SETTLEMENT: IN INFORMAL PLENARY, GROUP OF 77 LAUNCHED A CONCERTED ATTACK ON ARTICLE 11, PART IV, WHICH ENABLES COMPETENT FORUM TO REFER SCIENTIFIC AND TECHNICAL ISSUES TO EXPERTS. OSTENSIBLE OBJECT OF ATTACK WAS AMBIGUOUS DRAFTING IN RSNT THAT LEAVES THE IMPRESSION FINDINGS OF EXPERTS HAVE SOME BINDING EFFECT. INDIRECT OBJECT OF ATTACK WAS ANNEX II RELATING TO SPECIAL PROCEDURES INCLUDING FISHERIES, WHICH ARE SUPPORTED STRONGLY BY USSR.
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